



ATTORNEY DOCKET NO. 2003028-0008 (395C US)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Metcalf *et al.*  
Serial No.: 09/740,653  
Filed: December 18, 2000  
For: NOVEL PURINES

Examiner: Berch, Mark L.  
Art Unit: 1624  
Confirmation No.: 4453

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**NOTICE OF APPEAL**

Applicant hereby appeals to the Board of Appeals and Interferences in the United States Patent and Trademark Office the rejection of claims 1-8, 10, 13-28, 32-35, 40-62, 64-98, 100-116 and 118-259 levied in the Office Action mailed October 22, 2003 in the above-referenced case. In view of the small entity status of this application please find enclosed a check in the amount of \$165.00 to cover the necessary fee under 37 C.F.R. 1.17(b). In addition, please charge any other necessary fees (or credit any excess), to Deposit Account No. 03-1721.

Respectfully submitted,

04/27/2004 SDIRETA1 00000145 09740653

01 FC:2401

165.00 OP

Dated: 4/22/04

Theresa A. Devlin  
Theresa A. Devlin  
Registered No. 45,361

Choate, Hall & Stewart  
Exchange Place  
53 State Street  
Boston, MA 02109  
(617) 248-5000

3690723\_1.DOC

Certificate of Mailing	
I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
April 22, 2004	<u>Linda M. Amato</u>
Date	Signature
<u>Linda M. Amato</u>	
Typed or Printed Name of person signing certificate	